

Surface Use CONDITIONS OF APPROVAL For The Applications
For Permit To Drill
Based on Environmental Assessment –WY-070-10-332

POD Name: Grayling

Operator Name: Devon Energy Company, L.P.

Field Office: Buffalo Field Office
Address: 1425 Fort Street
Buffalo, Wyoming 82834

Office Telephone Number: 307-684-1100

The spud date will be reported electronically, (see website location below) to the Authorized Officer 24 HOURS BEFORE SPUDDING, unless otherwise required in site specific conditions of approval.

Spud Notice Site:

http://www.wy.blm.gov/minerals/og/og_notices/spud_notice.php

List of 80 Approved Wells:

	Well Name	Well #	Qtr/Qtr	Section	TWP	RNG	Lease
1	GRAYLING WPTU	1SS-1	NENE	1	41N	76W	WYW147310
2	GRAYLING WPTU	1SS-3	NENW	1	41N	76W	WYW147310
3	GRAYLING WPTU	1SS-5	SWNW	1	41N	76W	WYW147310
4	GRAYLING WPTU	1SS-7	SWNE	1	41N	76W	WYW147310
5	GRAYLING WPTU	1SS-9	NESE	1	41N	76W	WYW147310
6	GRAYLING WPTU	1SS-13	SWSW	1	41N	76W	WYW147310
7	GRAYLING WPTU	1SS-15	SWSE	1	41N	76W	WYW147310
8	GRAYLING WPTU	2SS-1	NENE	2	41N	76W	WYW147310
9	GRAYLING WPTU	2SS-5	SWNW	2	41N	76W	WYW147310
10	GRAYLING WPTU	2SS-7	SWNE	2	41N	76W	WYW147310
11	GRAYLING WPTU	2SS-9	NESE	2	41N	76W	WYW147310
12	GRAYLING WPTU	2SS-11	NESW	2	41N	76W	WYW147310
13	GRAYLING WPTU	2SS-13	SWSW	2	41N	76W	WYW147310
14	GRAYLING WPTU	2SS-15	SWSE	2	41N	76W	WYW147310
15	GRAYLING WPTU	3SS-1	NENE	3	41N	76W	WYW147310
16	GRAYLING WPTU	3SS-5	SWNW	3	41N	76W	WYW151707
17	GRAYLING WPTU	3SS-7	SWNE	3	41N	76W	WYW147310
18	GRAYLING WPTU	3SS-9	NESE	3	41N	76W	WYW147310
19	GRAYLING WPTU	3SS-13	SWSW	3	41N	76W	WYW151707
20	GRAYLING WPTU	4SS-1	NENE	4	41N	76W	WYW147310
21	GRAYLING WPTU	4SS-5	SWNW	4	41N	76W	WYW147310

	Well Name	Well #	Qtr/Qtr	Section	TWP	RNG	Lease
22	GRAYLING WPTU	4SS-7	SWNE	4	41N	76W	WYW147310
23	GRAYLING WPTU	4SS-9	NESE	4	41N	76W	WYW147310
24	GRAYLING WPTU	4SS-11	NESW	4	41N	76W	WYW147310
25	GRAYLING WPTU	4SS-13	SWSW	4	41N	76W	WYW147310
26	GRAYLING WPTU	4SS-15	SWSE	4	41N	76W	WYW147310
27	GRAYLING WPTU	14S-5	SWNW	14	42N	76W	WYW147314
28	GRAYLING WPTU	14S-7	SWNE	14	42N	76W	WYW147314
29	GRAYLING WPTU	14S-8	SENE	14	42N	76W	WYW147314
30	GRAYLING WPTU	14S-9	NESE	14	42N	76W	WYW147314
31	GRAYLING WPTU	23S-5	SWNW	23	42N	76W	WYW147315
32	GRAYLING WPTU	23S-7	SWNE	23	42N	76W	WYW147315
33	GRAYLING WPTU	23S-11	NESW	23	42N	76W	WYW147315
34	GRAYLING WPTU	23S-13	SWSW	23	42N	76W	WYW147315
35	GRAYLING WPTU	23S-15	SWSE	23	42N	76W	WYW147315
36	GRAYLING WPTU	24S-13	SWSW	24	42N	76W	WYW147316
37	GRAYLING WPTU	24S-15	SWSE	24	42N	76W	WYW147316
38	GRAYLING WPTU	25S-1	NENE	25	42N	76W	WYW147316
39	GRAYLING WPTU	25S-2	NWNE	25	42N	76W	WYW147316
40	GRAYLING WPTU	25S-5	SWNW	25	42N	76W	WYW147316
41	GRAYLING WPTU	25S-7	SWNE	25	42N	76W	WYW147316
42	GRAYLING WPTU	25S-9	NESE	25	42N	76W	WYW147316
43	GRAYLING WPTU	25S-13	SWSW	25	42N	76W	WYW147316
44	GRAYLING WPTU	25S-15	SWSE	25	42N	76W	WYW147316
45	GRAYLING WPTU	26S-1	NENE	26	42N	76W	WYW147316
46	GRAYLING WPTU	26S-3	NENW	26	42N	76W	WYW147316
47	GRAYLING WPTU	26S-7	SWNE	26	42N	76W	WYW147316
48	GRAYLING WPTU	26S-9	NESE	26	42N	76W	WYW147316
49	GRAYLING WPTU	26S-15	SWSE	26	42N	76W	WYW147316
50	GRAYLING I RANCH FEDERAL	29S-1	NENE	29	42N	76W	WYW147317
51	GRAYLING I RANCH	29S-3	NENW	29	42N	76W	WYW147317
52	GRAYLING I RANCH	29S-5	SWNW	29	42N	76W	WYW147317
53	GRAYLING I RANCH	29S-7	SWNE	29	42N	76W	WYW147317
54	GRAYLING I RANCH	29S-9	NESE	29	42N	76W	WYW147317
55	GRAYLING I RANCH	29S-11	NESW	29	42N	76W	WYW147317
56	GRAYLING I RANCH	29S-15	SWSE	29	42N	76W	WYW147317
57	GRAYLING MOORE LAND	30S-1	NENE	30	42N	76W	WYW147317
58	GRAYLING MOORE LAND	30S-7	SWNE	30	42N	76W	WYW147317
59	GRAYLING MOORE LAND	30S-9	NESE	30	42N	76W	WYW147317

	Well Name	Well #	Qtr/Qtr	Section	TWP	RNG	Lease
60	GRAYLING MOORE LAND	30S-11	NESW	30	42N	76W	WYW147317
61	GRAYLING MOORE LAND	31S-5	SWNW	31	42N	76W	WYW147317
62	GRAYLING MOORE LAND	31S-7	SWNE	31	42N	76W	WYW147317
63	GRAYLING MOORE LAND	31S-9	NESE	31	42N	76W	WYW147317
64	GRAYLING MOORE LAND	31S-11	NESW	31	42N	76W	WYW147317
65	GRAYLING MOORE LAND	31S-13	SWSW	31	42N	76W	WYW147317
66	GRAYLING I RANCH	31S-15	SWSE	31	42N	76W	WYW147317
67	GRAYLING I RANCH	32S-1	NENE	32	42N	76W	WYW147317
68	GRAYLING I RANCH	32S-5	SWNW	32	42N	76W	WYW147317
69	GRAYLING I RANCH	32S-13	SWSW	32	42N	76W	WYW147317
70	GRAYLING WPTU	33S-7	SWNE	33	42N	76W	WYW147318
71	GRAYLING WPTU	34S-1	NENE	34	42N	76W	WYW147318
72	GRAYLING WPTU	34S-3	NENW	34	42N	76W	WYW147318
73	GRAYLING WPTU	34S-5	SWNW	34	42N	76W	WYW147318
74	GRAYLING WPTU	34S-9	NESE	34	42N	76W	WYW147318
75	GRAYLING WPTU	34S-11	NESW	34	42N	76W	WYW147318
76	GRAYLING WPTU	35S-1	NENE	35	42N	76W	WYW147318
77	GRAYLING WPTU	35S-3	NENW	35	42N	76W	WYW147318
78	GRAYLING WPTU	35S-7	SWNE	35	42N	76W	WYW147318
79	GRAYLING WPTU	35S-9	NESE	35	42N	76W	WYW147318
80	GRAYLING WPTU	35S-11	NESW	35	42N	76W	WYW147318

List of 4 Deferred Wells and Utility Corridor (see also, pp.23 to 24 of COAs)

	Well Name	Well #	Qtr/Qtr	Section	TWP	RNG	Lease
1	GRAYLING WPTU	25S-7	SWNE	25	42N	76W	WYW147316
2	GRAYLING WPTU	25S-9	NESE	25	42N	76W	WYW147316
3	GRAYLING MOORE LAND	30S-3	NENW	30	42N	76W	WYW147317
4	GRAYLING MOORE LAND	30S-5	SWNW	30	42N	76W	WYW147317
Approximately 750 feet of proposed utility corridor, N/SW/SW/SW of Sec 20, T42N R76W, consisting of proposed unimproved road, proposed water, gas, electric located directly west of the 20S-13 existing fee CBNG well.							

List of Impoundments Approved for Federal Water:

	IMPOUNDMENT Name / Number	Qtr/Qtr	Sec	TWP	RNG	Capacity (Acre Feet)	Surface Disturbance (Acres)	Lease #
1	WINTERMUTE	SWSW	24	42	76	3.0	0.6	WYW147315
2	13-25-4276	NWSW	25	42	76	11.0	1.2	WYW147316
3	33-30-4275	NWSE	30	42	75	14.2	3.1	WYW311966
4	11-31-4275	NWNW	31	42	75	16.5	3.0	WYW311966
5	31-2-4176	NWNE	2	41	76	6.2	1.2	FEE
6	IBERLIN 23-9-4176	NESW	9	41	76	14.8	3.0	WYW150758
7	IBERLIN 33-14-4176	NWSE	14	41	76	8.6	2.2	FEE
8	11-22-4176	NWNW	22	41	76	21.6	6.1	FEE
9	ARTESIAN UPPER RES	SWNW	11	41	76	47.5	9.6	FEE
10	T42NR76W36SESW	SESW	36	42	76	1.4	0.6	STATE
11	44-31-4276	SESE	31	42	76	48.7	24.6	WYW147317
12	T42NR76W19NWNE	NENE	19	42	76	8.7	2.9	WYW147315
13	T42NR76W27NESW	NESW	27	42	76	12.9	1.5	WYW147315
14	T42NR76W27SESE	SESE	27	42	76	6.8	0.8	WYW147315
15	T42NR76W34SENE	SENE	34	42	76	42.8	6.3	WYW147315
16	T42NR76W34NESE	NESE	34	42	76	14.7	2.4	WYW147315
17	T42NR76W35NWNW	NWNW	35	42	76	11.5	1.5	WYW147315
18	NICHOLS STOCK RESERVOIR (T42NR76W28NESW)	NESW	28	42	76	10.7	1.5	WYW147315
19	T42NR76W21SESW	SESW	21	42	76	59.8	4.5	WYW147315
20	T42NR76W22NENW	NENW	22	42	76	14.5	2.3	WYW147315
21	T42NR76W10NENE	NENE	10	42	76	5.0	5.1	WYW147315
22	T42NR76W7SWSW	SWSW	7	42	76	14.9	2.1	WYW147315
23	IBERLIN 32-27-4176	SWNE	27	41	76	16.9	4.2	WYW314310
24	E31-28-4176	NWNE	28	41	76	16.0	4.0	WYW314304
25	E33-28-4176	NWSE	28	41	76	5.8	1.2	WYW160418

	GYPHUM WATER TREATMENT SYSTEMS	Qtr/Qtr	Sec	TWP	RNG	Capacity (Acre Feet)	Surface Disturbance (Acres)	Lease #
1	Aqua-Ject II	SENE	21	42	76	NA	0.25	WYW-147315
2	Aqua-Ject II	SWSE	3	42	76	NA	0.25	FEE
3	Crushed Gypsum Upset	NENW	22	42	76	NA	0.01	WYW-147315
4	Crushed Gypsum Upset	NWNE	10	42	76	NA	0.01	WYW-147315

SITE SPECIFIC

Surface Use

All changes made at the onsite will be followed. They were all incorporated into the operator's POD.

General

1. Please contact Eric Holborn – Natural Resource Specialist, (307)684-1044, Bureau of Land Management, Buffalo, concerning the COAs.

Surface Use

1. All permanent above-ground structures (e.g., production equipment, tanks, etc.) not subject to safety requirements will be painted to blend with the natural color of the landscape. The paint used will be a color which simulates “Standard Environmental Colors.” The color selected for the Grayling POD is Covert Green, (Munsell Soil Color 18-0617 TPX).
2. The operator will follow the guidance provided in the Wyoming Policy on Reclamation (IM WY-90-231) specifically the following:
Reclamation Standards:
 - C.3 The reclaimed area shall be stable and exhibit none of the following characteristics:
 - a. Large rills or gullies.
 - b. Perceptible soil movement or head cutting in drainages.
 - c. Slope instability on, or adjacent to, the reclaimed area in question.
 - C.4 The soil surface must be stable and have adequate surface roughness to reduce runoff and capture rainfall and snow melt. Additional short-term measures, such as the application of mulch, shall be used to reduce surface soil movement.
 - C.5 Vegetation canopy cover (on unforested sites), production and species diversity (including shrubs) shall approximate the surrounding undisturbed area. The vegetation shall stabilize the site and support the planned post disturbance land use, provide for natural plant community succession and development, and be capable of renewing itself. This shall be demonstrated by:
 - a. Successful onsite establishment of species included in the planting mixture or other desirable species.
 - b. Evidence of vegetation reproduction, either spreading by rhizomatous species or seed production.
 - C.6 The reclaimed landscape shall have characteristics that approximate the visual quality of the adjacent area with regard to location, scale, shape, color and orientation of major landscape features and meet the needs of the planned post disturbance land use.
3. All persons involved in surface disturbance within the Grayling POD i.e. Devon Energy Production Company employees, contractors, operators of equipment etc. will have in their possession at all times a complete set of the Surface Use Conditions of Approval and applicable right-of-way stipulations.
4. The operator will drill seed on the contour to a depth of 0.5 inch, followed by cultipaction to compact the seedbed, preventing soil and seed losses. To maintain quality and purity, the current years tested, certified seed with a minimum germination rate of 80% and a minimum purity of 90% will be used. ON BLM surface or in lieu of different specific mix desired by the surface owner, use the following:

Shallow Loamy Ecological Site Seed Mix		
Species	% in Mix	Lbs PLS*
Thickspike Wheatgrass (<i>Elymus lanceolatus ssp. lanceolatus</i>)	50	6.0
Bluebunch wheatgrass (<i>Pseudoroegneria spicata ssp. Spicata</i>)	35	4.2
Prairie coneflower (<i>Ratibida columnifera</i>)	5	0.6
White or purple prairie clover (<i>Dalea candidum, purpureum</i>)	5	0.6
Rocky Mountain beeplant (<i>Cleome serrulata</i>)	5	0.6
Totals	100%	12 lbs/acre

- The operator is responsible for having the licensed professional engineer certify that the actual construction of the roads meets the design criteria and is constructed to Bureau standards.

Water Management

- The operator will sample the springs as listed in the WMP once a year (spring) for the duration of production to determine any changes in water quality or quantity. Analysis will follow the WYPDES Permit initial quality criteria suite. Flow rate will also be determined. Copies of water quality and quantity data will be reported to the BLM BFO. If it is determined that either are changing as a result of CBNG production in the area, additional mitigation may be required.

Cultural:

- Fencing:** A temporary fence to protect existing trail rut segments will be installed by a qualified archaeologist who meets or exceeds the qualification standards recommended by the Secretary of the Interior, around each trail segment identified in the table below, beginning and ending at the UTM coordinates specified. During road and utility corridor construction, and during surface disturbing activity of the 26S-9 Federal Well (T42N R76W Sections 25, 26, and 36) along the Bozeman Trail/Ft. Fetterman to Ft. McKinney Telegraph Line, West Pine Tree Segment 2 in the following areas:

West Pine Tree Segment 2, Trail Section	Beginning UTM (NAD27, Zone 13N)	Ending UTM (NAD 27, Zone 13N)
1 (4,500 feet)	425685mE/4823894mN	424933mE/4824983mN
2A (725 feet)	424892mE/4824979mN	424664mE/4825015mN
2B (725 feet)	424892mE/4824979mN	424664mE/4825015mN
3 (700 feet)	424552mE/4825029mN	424335mE/4825013mN
4C (1,025 feet)	424239mE/4824964mN	423939mE/4824945mN
5 (400 feet)	423871mE/4825042mN	423827mE/4825120mN

West Pine Tree Segment 2, Trail Section	Beginning UTM (NAD27, Zone 13N)	Ending UTM (NAD 27, Zone 13N)
6 (275 feet)	423748mE/4825248mN	423707mE/4825307mN
7A (175 feet)	423720mE/4825407mN	423689mE/4825421mN
7B-TL (975 feet)	423676mE/4825367mN	423398mE/4825473mN
7C-TL (325 feet)	423613mE/4825369mE	423552mE/4825390mN
8A-TL (300 feet)	423332mE/4825514mN	423241mE/4825548mN
8B-TL (300 feet)	423332mE/4825509mN	423243mE/4825542mN
8C (300 feet)	423329mE/4825505mN	423261mE/4825534mN
9A-TL (450 feet)	423182mE/4825599mN	423121mE/4825704mN
9B-TL (450 feet)	423186mE/4825589mN	423121mE/4825704mN
9C (500 feet)	423185mE/4825575mN	423107mE/4825714mN
10A-TL (200 feet)	422936mE/4825746mN	422892mE/4825808mN
10B-TL (200 feet)	422936mE/4825746mN	422883mE/4825800mN
10C (225 feet)	422936mE/4825746mN	422887mE/4825792mN

Prior to construction activities the archaeologist shall notify Ardeth Hahn of the BLM, Buffalo Field Office of the date they intend to fence the aforementioned areas, no less than three days in advance.

Temporary fencing will be removed by the archaeologist (not construction crews) when construction of the road and utility corridor is complete. When construction activities are complete, the archaeologist shall notify Ardeth Hahn of the BLM, Buffalo Field Office that they intend to remove the temporary fencing, no less than three days in advance. Two copies of the report, including photos of the fenced sections of the Bozeman Trail/Ft. Fetterman to Ft. McKinney Telegraph Line before construction, and photos of the completed construction, will be provided to the BFO within 30 days of completion of Bozeman Trail related monitoring work.

2. **Archaeological Monitoring:** All surface disturbing activity in the following areas will be monitored by a BLM cultural resource use permit (CRUP) holder or permitted crew chief. The Bureau has identified these areas as having a high potential for buried cultural deposits (areas containing alluvial and/or Aeolian deposits identified by the NRCS soil survey (NRCS n.d.), and areas of Moderate to High Sensitivity Zones per the PUMP III Model (Eckerle 2005)). Some portions of the monitoring areas as described may lie outside alluvial and/or Aeolian deposits and exact monitoring areas are left to the discretion of the archeological monitor. All monitored areas must be plotted on the map provided with the monitoring report. The submission of two copies of a monitoring report to BFO is required within 30 days of the completion of all monitoring work.
3. All surface disturbing activity associated with the construction of the 14S-5 Federal well (T42N R76W Section 14).
4. All surface disturbing activity associated with the construction of the 26S-9 Federal well (T42N R76W Section 26).

5. All surface disturbing activity associated with the construction of the 35S-7 Federal well (T42N R76W Section 35).
6. All surface disturbing activity associated with the construction of the 35S-11 Federal well (T42N R76W Section 35).
7. All surface disturbing activity associated with the construction of the 34S-5 Federal well, (T42N R76W Section 35), the 34S-3 Federal well, and the associated utility corridor extending from the 34S-5 Federal well location to the tie in with the existing utility corridor in T42N R76W Section 27.
8. All surface disturbing activity associated with the construction of the 34S-1 Federal well (T42N R76W Section 34).
9. All surface disturbing activity associated with the construction of the 34S-11 Federal well and the associated utility corridor from the 34S-11 Federal well location to the tie in with the 34S-1 Federal well (T42N R76W Section 34).
10. All surface disturbing activity associated with the construction of the 4SS-5 Federal well and the associated corridor to the 4SS-11 Federal well (T41N R76W Section 4).
11. All surface disturbing activity associated with the construction of the 4SS-15 Federal well (T41N R76W Section 4).
12. All surface disturbing activity associated with the construction of the 3SS-13 Federal well and the associated utility corridor to the tie in with the mail utility corridor in the SE/NW/SW of T41N R76W Section 3.
13. All surface disturbing activity associated with the construction of the 2SS-13 Federal well (T41N R76W Section 2).
14. All surface disturbing activity associated with the construction of the 2SS-15 Federal well and associated utility corridor to the tie in with the main utility corridor in the C/S/SE of T41N R76W Section 2.
15. All surface disturbing activity associated with the construction of the Moore Land Federal 30S-1 well (T42N R76W Section 30).
16. All surface disturbing activity associated with the construction of the utility corridor between the Moore Land Federal 30S-7 well location and the tie in to the proposed utility corridor located in the SE/SE of Section 19, T42N R76W.
17. All surface disturbing activity associated with the construction of the Iberlin Ranch Federal 29S-5 well, the Iberlin Ranch Federal 29S-3 well, and the associated utility corridor from the Iberlin Ranch Federal 29S-5 well location to the tie in with existing infrastructure located in the SE/SW of Section 20, T42N R76W.
18. All surface disturbing activity associated with the construction of the Iberlin Federal 29S-11 well and the associated utility corridor located in the NE/SW of Section 29, T42N R76W.
19. All surface disturbing activity associated with the construction of the Iberlin Federal 29S-7 well (T42N R76W Section 29).

20. All surface disturbing activity associated with the construction of the main utility corridor in T42N R76W Section 29 from the Section 29/32 section line, north to the Section 29/20 section line.
21. All surface disturbing activity associated with the construction of the Iberlin Ranch Federal 32S-13 well and associated utility corridor to the Section 32/31 section line.

Wildlife

Ute Ladies'-tresses orchid

The following conditions will alleviate impacts to Ute ladies'-tresses orchid:

1. A habitat suitability survey will be conducted each year to evaluate all areas impacted by surface disturbance and discharged water for potential Ute ladies'-tresses habitat. In those areas identified to be suitable habitat, a protocol flowering survey will be required each year, according to the Powder River Basin Interagency Working Group's (PRBIWG) accepted protocol. If individual plants are found, then BLM reserves the right to re-evaluate the water management plan to mitigate potential impacts to the plant.
2. The operator will report yearly (by December 31) to the BLM the extent of the wetted reach in Fink Prong to ensure produced water is not reaching known locations. Should produced water reach the 4.2 mile mark, Devon will cease discharging into the Fink Prong until the BLM and the USFWS re-initiate and complete section 7 consultation.

Bald Eagles

The following conditions will alleviate impacts to bald eagles:

1. Surveys for active bald eagle nests and winter roost sites will be conducted within suitable habitat (Dry Fork Powder and Davis Draw) by a wildlife biologist. Surface disturbing activities will not be permitted within one mile of suitable roosting habitat from November 1 to April 1 and suitable nesting habitat from February 1 to August 15th prior to survey completion.
2. A minimum disturbance-free buffer zone of 0.5 mile (i.e., no surface occupancy) will be established year-round for all Bald eagle nest sites. A seasonal minimum disturbance-free buffer zone of one mile will be established for all Bald eagle nest sites (February 15 – August 15).
3. A seasonal minimum disturbance-free buffer zone of 1 mile will be established for all bald eagle winter roost sites (November 1 – April 1). These buffer zones and timing may be adjusted based on site-specific information through coordination with, and written approval from, the USFWS.
4. Within 0.5 mile of bald eagle winter roost sites additional measures such as remote monitoring and restricting maintenance visitation to between 9:00am and 3:00pm are necessary to prevent disturbance (November 1 – April 1).

Raptors

The following conditions will alleviate impacts to raptors:

1. No surface-disturbing activities shall occur within 0.5 mile of all identified raptor nests, from 1 February through 31 July, annually, prior to a nesting survey. This timing limitation will be in effect unless surveys determine the nest to be inactive. Refer to the attached map for affected wells and infrastructure for the 2011 year.

- a. Surveys shall be conducted by a biologist following BLM protocol. All survey results shall be submitted in writing to a Buffalo BLM biologist and approved prior to surface disturbing activities.
- b. If an undocumented raptor nest is located during project construction or operation, the Buffalo Field Office (307-684-1100) shall be notified within 24 hours.

Sage-Grouse

The following conditions will alleviate impacts to sage-grouse:

1. No surface-disturbing activities shall occur within sage-grouse nesting habitat, from 15 March through 30 June, annually. This affects the following wells and associated infrastructure:

Township/Range	Section	Wells
T42N R76W	14	14S-3, 14S-5, 14S-7, 14S-9, 14S-11
	23	23S-5, 23S-7, 23S-9, 23S-11, 23S-13, 23S-15
	24	24S-7, 24S-11, 24S-13, 24S-15
	25	25S-1, 25S-3, 25S-5, 25S-7, 25S-9, 25S-11, 25S-13, 25S-15
	26	26S-1, 26S-3, 26S-7, 26S-9, 26S-15
	35	35S-1, 35S-3, 35S-7, 35S-9

Swift Fox

The following conditions will alleviate impacts to swift fox:

1. Three swift fox surveys at least two weeks apart will be required in suitable swift fox habitat (within 0.25 miles of prairie dog towns as well as hill tops and ridges) between April 15 and June 15 each year for the duration of surface disturbing activities. The middle survey shall be a spotlight survey of the entire POD. The first and third may be daylight den searches.
2. If a swift fox den is identified, then a seasonal disturbance-free buffer of 0.25 mile shall be maintained between March 1 and August 31. If no swift fox dens are identified, then surface disturbing activities may be permitted within suitable habitat until the following breeding season (March 1).

Mountain Plover

The following conditions will alleviate impacts to mountain plovers:

1. No surface-disturbing activities shall occur within 0.25 mile of potential mountain plover nesting habitat, annually, from 15 March through 31 July, prior to a nesting survey. This timing limitation will be in effect unless surveys determine the habitat to be unoccupied. Refer to the attached map for affected wells and infrastructure for the 2011 year.
 - a. Mountain plover nesting surveys shall be conducted by a biologist following the most current USFWS Mountain Plover Survey Guidelines. All survey results shall be submitted in writing to a Buffalo BLM biologist and approved prior to surface disturbing activities.
 - b. If a plover is observed, no surface-disturbing activities shall occur within 0.25 miles of the prairie dog colony from 15 March through 31 July.
 - c. No dogs will be permitted at work sites to reduce the potential for harassment of mountain plovers.

Western Burrowing Owls

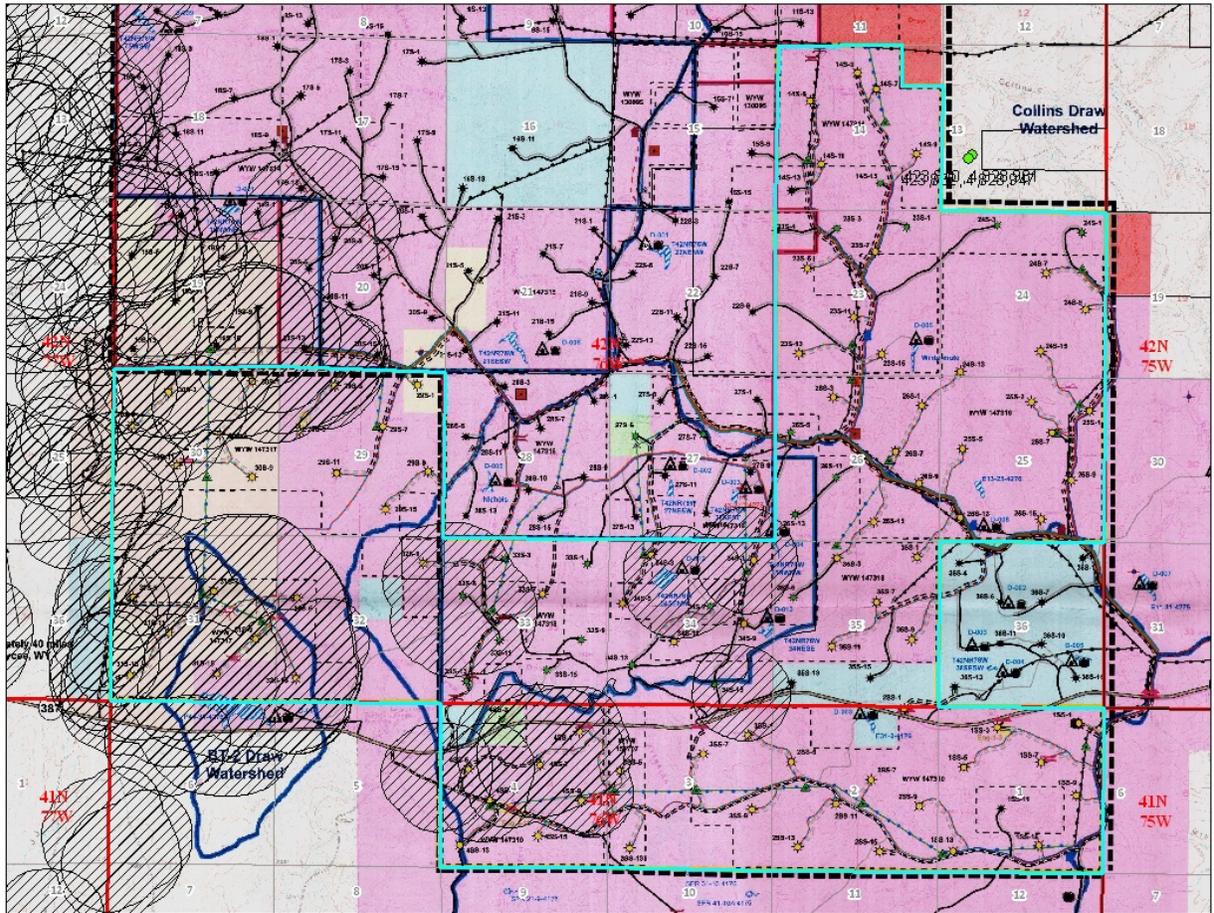
The following conditions will alleviate impacts to burrowing owls:

1. No surface-disturbing activities shall occur within 0.25 mile of all identified prairie dog colonies, from 15 April through 31 August, annually, prior to a burrowing owl survey. This timing limitation will be in effect unless surveys determine that no burrowing owls are present. A 0.25 mile buffer will

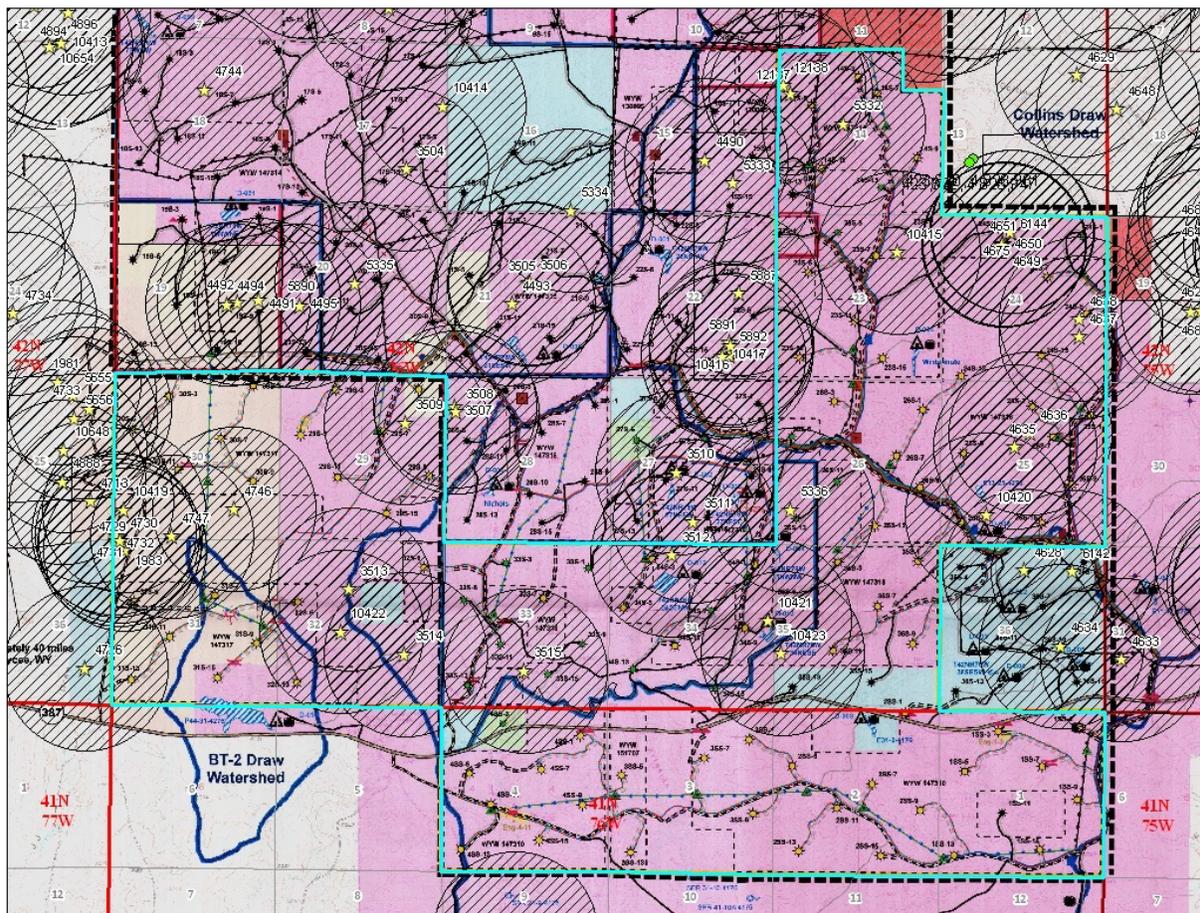
be applied if a burrowing owl nest is identified. Refer to the attached map for affected wells and infrastructure.

- a. Surveys shall be conducted by a biologist following BLM protocol. All survey results shall be submitted in writing to a Buffalo BLM biologist and approved prior to surface disturbing activities.
- b. If a burrowing owl nest is located during project construction or operation, the Buffalo Field Office (307-684-1100) shall be notified within 24 hours.

Mountain Plover, and Burrowing Owl Timing Restriction Site Specific Condition of Approval Map for 2010.



Raptor Timing Restriction Site Specific Condition of Approval Map for 2010.



PROGRAMMATIC

STANDARD

General

1. All contractors/operators will have a complete copy of the approved APD/POD, including COAs, at the drill site, during the construction of the roads and drill pad, the drilling of the well, completion of the well, and all other related construction activities.
2. A pre-construction field meeting shall be conducted prior to beginning any dirt work approved under this POD. The operator shall contact the BLM Authorized Officer NRS Eric Holborn, 307-684-1044, at least 4-days prior to beginning operations so that the meeting can be scheduled. The operator is responsible for having all contractors present (dirt contractors, drilling contractor, pipeline contractor, project oversight personnel, etc.) including the overall field operations superintendent, and for

providing all contractors copies of the approved POD, project map and BLM Conditions of Approval pertinent to the work that each will be doing.

3. Approval of this APD does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease that would entitle the applicant to conduct operations thereon. In addition, approval of this APD does not imply that the operator has legal access to the drilling location. When crossing private surface 43 CFR 3814 regulations must be complied with and when crossing public surface off-lease the operator must have an approved right-of-way.
4. Confine all equipment and vehicles to the access road(s), pad(s), and area(s) specified in the approved APD or POD.
5. The operator will be in compliance with all applicable local, state and/or federal laws, regulations, and/or statutes.
6. A progress report must be filed a minimum of once a month starting with the month the well was spudded continuing until the well is completed. The report must be filed by the 25th of each month on a Sundry Notice (Form 3160-5). The report will include the spud date, casing information such as size, grade, weight, hole size, and setting depth, amount and type of cement used, top of cement, depth of cementing tools, casing test method, intervals tested, perforated, acidized, fractured and results obtained and the dates all work done.
7. In the event abandonment of the hole is desired, an oral request may be granted by this office but must be timely followed within 5 days with a "Notice of Intention to Abandon" (Form 3160-5). The "Subsequent Report of Abandonment" (Form 3160-5) must be submitted within 30 days after the actual plugging of the well bore, reporting where the plugs were placed, and the current status of the surface restoration.
8. Whether the well is completed as a dry hole or as a producer, two copies of all logs run, core descriptions, core analysis, well-test data, geologic summaries, sample descriptions, and all other surveys or data obtained and compiled during the drilling, work over, and/or completion operations will be filed with Form 3160-4. A gamma ray log shall be run from T.D. to ground surface.
9. The operator is responsible for informing all persons associated with this project that they shall be subject to prosecution for damaging, altering, excavating or removing any archaeological, historical, or vertebrate fossil objects on site. If archaeological, historical, or vertebrate fossil materials are discovered, the operator is to suspend all operations that further disturb such materials and immediately contact the Authorized Officer. Operations are not to resume until written authorization to proceed is issued by the Authorized Officer.
10. Within five (5) working days, the Authorized Officer will evaluate the discovery and inform the operator of actions that will be necessary to prevent loss of significant cultural or scientific values.
11. The operator is responsible for the cost of any mitigation required by the Authorized Officer. The Authorized Officer will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Officer that the required mitigation has been completed, the operator will be allowed to resume operations.
 - a. If any cultural values [sites, artifacts, human remains (Appendix L FEIS)] are observed during operation of this lease/permit/right-of-way, they will be left intact and the Buffalo Field Manager notified. The authorized officer will conduct an evaluation of the cultural values to establish appropriate mitigation, salvage or treatment. The operator is responsible for informing all persons

in the area who are associated with this project that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during construction, the operator is to immediately stop work that might further disturb such materials, and contact the authorized BLM officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places;
 - the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
 - a time-frame for the AO to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction measures.
- b. If paleontological resources, either large or conspicuous, and/or a significant scientific value are discovered during construction, the find will be reported to the Authorized Officer immediately. Construction will be suspended within 250 feet of said find. An evaluation of the paleontological discovery will be made by a BLM approved professional paleontologist within five (5) working days, weather permitting, to determine the appropriate action(s) to prevent the potential loss of any significant paleontological values. Operations within 250 feet of such a discovery will not be resumed until written authorization to proceed is issued by the Authorized Officer. The applicant will bear the cost of any required paleontological appraisals, surface collection of fossils, or salvage of any large conspicuous fossils of significant scientific interest discovered during the operation.
12. The operator shall be responsible for the prevention of fires on public lands caused by its employees, contractors or subcontractors. During conditions of extreme fire danger, surface use operations may be limited or suspended in specific areas.
13. All survey monuments found within the area of operations shall be protected. Survey monuments include, but are not limited to: General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U. S. Coast and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any survey monuments, the incident shall be reported in writing to the Authorized Officer.
14. If any time the facilities located on public lands authorized by the terms of the lease are no longer included in the lease (due to a contraction in the unit or other lease or unit boundary change) the BLM will process a change in authorization to the appropriate statute. The authorization will be subject to appropriate rental, or other financial obligation determined by the authorized officer.
15. The first producing well drilled to each targeted coal zone will be designated as the POD "Reference Well". Reference wells will not be required for PODs within a 6 mile radius of the first reference well designated by the operator, nor for co-mingled coal zones. The designated reference well must be equipped to be sampled at the well head. A reference well sample will be collected from the wellhead and submitted for analysis; using the list of analytes identified in WDEQ WYPDES Application for Permit to Surface Discharge Produced Water from CBM New Discharges, Renewals, or Major Modifications, within 30 to 60 days of initial water production. Results of the analysis will

be submitted to the BFO-BLM authorized Officer as they become available and will include the following information: Operator Name, POD Name, Well Name and location and Date Sampled.

16. By November 1 each year, companies will submit the following information, attached to a Sundry Form 3160-5, where construction and development have taken place in the last year.

- Georeferenced spatial data depicting as-built locations of all facilities, wells, roads, pipelines, power lines, reservoirs, discharge points, and other related facilities to the BLM for all PODs.
- Two as-built copies of Map D.

17. If any dead or injured threatened, endangered, proposed, or candidate species is located during construction or operation, the U.S. Fish and Wildlife Service's Wyoming Field Office (307-772-2374), their law enforcement office (307-261-6365), and the BLM Buffalo Field Office (307-684-1100) shall be notified within 24 hours. If any dead or injured sensitive species is located during construction or operation, the BLM Buffalo Field Office (307-684-1100) shall be notified within 24 hours.

DRILLING AND PRODUCTION OPERATIONS

The operator shall complete coal bed natural gas wells (case, cement and under ream) as soon as possible, but no later than 30 days after drilling operations, unless an extension is given by the BLM Authorized Officer.

Well Control Equipment

1. The flow line shall be a minimum of 30 feet from the well bore and securely anchored. The 30-foot length of line is a minimum and operators must make consideration for increasing this length for topography and/or wind direction.
2. The flow line shall be a straight run.
3. The flow line must be constructed from non-flammable material.
4. All cuttings and circulating medium shall be directed to and contained in a reserve pit.
5. The nearest edge of the pits shall be a minimum of 25' from the rig.
The authorized officer may modify these requirements at any time if it is determined that increased pressure control is deemed necessary.
6. Verbal notification shall be given to the Authorized Officer at least 24 hours before formation tests, BOP tests, running and cementing casing, and drilling over lease expiration dates.

Casing Program

1. The minimum requirement for casing centralizers is as follows: all casing strings will have centralizers on the bottom three joints (i.e. a minimum of one centralizer per joint starting with the shoe joint).

Cement Program

1. If there are indications of inadequate primary cementing of the surface, intermediate, or production casing strings; such as but not limited to no returns to surface, cement channeling, fallback or mechanical failure of equipment, the operator will evaluate the adequacy of the cementing operations. This evaluation will consist of running a cement bond log (CBL) or an alternate method approved by the Authorized Officer (AO) no sooner than 12 hours and no later than 24 hours from the time the cement was first pumped.

If the evaluation indicates inadequate cementing, the operator shall contact a BLM Buffalo Field Office Petroleum Engineer for approval of remedial cementing work.

2. The adequacy of the remedial cementing operations shall be verified by a cement bond log (CBL) or an alternate method approved by the Authorized Officer (AO). All remedial work shall be completed and verified prior to drilling out the casing shoe or perforating the casing for purposes other than remedial cementing.
3. The cement mix water used must be of the same water quality used to develop the cement program.

Production Equipment

1. Other actions such as off-lease measurement, commingling, allocation, etc. shall be approved via a Notice of Intent sundry (Form No. 3160-5). Submission of additional information in the POD shall not be construed as permission for these items. If the operator wishes to utilize off-lease gas

measurement for wells approved in this POD, they are required to obtain approval via a Notice of Intent sundry (Form No. 3160-5) prior to any gas production.

Well and POD Building Identification

1. From the time a well pad is constructed or a well is spudded (if no well pad needed), until abandonment, all well locations must be properly identified with a legible sign. The sign will include the well name and number, operator name, lease number, and the surveyed location.
2. At each POD building site where federal wells are metered, the operator is required to maintain a legible sign displayed in a conspicuous place. This sign is required to be in place at the time metering goes online. The sign shall include: POD name, Operator, Federal well names and numbers, Federal lease numbers being metered at the POD building, and surveyed location of the building.

Protection of Fresh Water Resources

1. All oil and gas operations shall be conducted in a manner to prevent the pollution of all freshwater resources. All fresh waters and waters of present or probable future value for domestic, municipal, commercial, stock or agricultural purposes will be confined to their respective strata and shall be adequately protected. Special precautions will be taken to guard against any loss of artesian water from the strata in which it occurs and the contamination of fresh water by objectionable water, oil, condensate, gas or other deleterious substance to such fresh water.

Miscellaneous Conditions

1. Any changes to the approved drilling plan and/or these conditions of approval shall be approved by the BLM-Buffalo Field Office Petroleum Engineer prior to being implemented.

After hour's numbers:

Supervisory Petroleum Engineer: Matthew Warren Cell Telephone: 307-620-0103

Petroleum Engineer: Victor Xuan Cell Telephone: 307-331-5421

2. If any cores are collected, a copy of all analysis performed shall be submitted to the BLM-Buffalo Field Office Petroleum Engineer.

SURFACE USE STANDARD

A. Construction

1. Prior to construction, the operator will remove all staking (engineered road, pads, well stakes, etc.) for those areas which were not approved with the POD/APD.
2. All roads, well pads, rig slots, culverts, spot upgrades and locations where engineered construction will occur will be completely slope staked for review prior to construction.
3. Topsoil will be segregated for all excavation including the entire disturbance area for constructed pads and excavated areas for rig leveling, reserve pits, constructed roads, spot upgrades, reservoir upgrades, outfalls and utility trenches and redistributed for interim reclamation activities. This requirement will not be applied for pipelines installed with wheel trenchers.
4. The operator will not push soil material and overburden over side slopes or into drainages. All soil material disturbed will be placed in an area where it can be retrieved without creating additional undue surface disturbance and where it does not impede watershed and drainage flows.

5. Maintain a minimum 20-foot undisturbed vegetative border between disturbance areas and the edge of adjacent drainages, unless otherwise directed by the BLM Authorized Officer.
6. Reserve pits will be adequately fenced during and after drilling operations until pit is reclaimed so as to effectively keep out wildlife and livestock. Adequate fencing, in lieu of more stringent requirements by the surface owner, is defined as follows:
 - Construction materials will consist of steel or wood posts. Three or four strand wire (smooth or barbed) fence or hog panel (16-foot length by 50-inch height) or plastic snow fence must be used with connectors such as fence staples, quick-connect clips, hog rings, hose clamps, twisted wire, etc. Electric fences will not be allowed.
 - Construction standards: Posts shall be firmly set in ground. If wire is used, it must be taut and evenly spaced, from ground level to top wire, to effectively keep out animals. Hog panels must be tied securely into posts and one another using fence staples, clamps, etc. Plastic snow fencing must be taut and sturdy. Fence must be at least 2-feet from edge of pit. 3 sides fenced before beginning drilling, the fourth side fenced immediately upon completion of drilling and prior to rig release. Fence must be left up and maintained in adequate condition until pit is closed.
7. The reserve pit will be oriented to prevent collection of surface runoff. After the drilling rig is removed, the operator may need to construct a trench on the uphill side of the reserve pit to divert surface drainage around it. If constructed, the trench will be left intact until the pit is closed.
8. The reserve pit will be lined with an impermeable liner if permeable subsurface material is encountered. An impermeable liner is any liner having permeability less than 10⁻⁷ cm/sec. The liner will be installed so that it will not leak and will be chemically compatible with all substances that may be put in the pit. Liners made of any man-made synthetic material will be of sufficient strength and thickness to withstand normal installation and pit use. In gravelly or rocky soils, a suitable bedding material such as sand will be used prior to installing the liner.
9. The reserve pit will be constructed so that at least half of its total volume is in solid cut material (below natural ground level).
10. The culvert locations will be staked prior to construction. The culvert invert grade and finished road grade will be clearly indicated on the stakes. Culverts will be installed on natural ground, or on a designed flow line of a ditch. The minimum cover over culverts will be 12" or one-half the diameter whichever is greater. Drainage laterals in the form of culverts or waterbars shall be placed according to the following spacing:

Soil Type	Road Grade 2-4%	Road Grade 5-8%	Road Grade 9-12%	Road Grade 13-16%
Highly erosive Granitic or sandy	240	180	140	100
Intermediate Erosive clay or loam	310	260	200	150
Low erosive shale or gravel	400	325	250	175

11. Provide a minimum of 4" of aggregate where grades exceed 8%.

12. The minimum diameter for culverts will be 18 inches. However, all culverts will be appropriately sized in accordance with standards in BLM Manual 9113.
13. Maximum speed on all operator-constructed and maintained roads will not exceed 25 miles per hour.
14. Pipeline construction shall not block nor change the natural course of any drainage. Pipelines shall cross perpendicular to drainages. Suspended pipelines shall provide adequate clearance for maximum runoff.
15. During construction, emissions of particulate matter from well pad and road construction would be minimized by application of water or other non-saline dust suppressants with at least 50 percent control efficiency. Dust inhibitors (surfacing materials, non-saline dust suppressants, and water) will be used as necessary on unpaved roads that present a fugitive dust problem. The use of chemical dust suppressants on public surface will require prior approval from the BLM Authorized Officer.
16. All overhead power lines on BLM surface will be constructed to Avian Power Line Interaction Committee (2006 edition or most recent edition) by the standards and additional standards identified in the PRB FEIS Biological Opinion (Volume 3, Appendix K, page 43). BLM strongly prefers burial of powerlines in BLM and private surface.

B. Operations/Maintenance

1. All waste, other than human waste and drilling fluids, will be contained in a portable trash cage. This waste will be transported to a State approved waste disposal site immediately upon completion of drilling operations. No trash or empty barrels will be placed in the reserve pit or buried on location. Operators and their contractors will comply with all state and local laws and regulations pertaining to disposal of human and solid waste will be complied with.
2. Sewage shall be placed in a self-contained, chemically treated porta-potty on location.
3. The operator and their contractors shall ensure that all use, production, storage, transport and disposal of hazardous and extremely hazardous materials associated with the drilling, completion and production of these wells will be in accordance with all applicable existing or hereafter promulgated federal, state and local government rules, regulations and guidelines. All project-related activities involving hazardous materials will be conducted in a manner to minimize potential environmental impacts. In accordance with OSHA requirements, a file will be maintained onsite containing current Material Safety Data Sheets (MSDS) for all chemicals, compounds and/or substances which are used in the course of construction, drilling, completion and production operations.
4. Produced fluids shall be put in test tanks on location during completion work. Produced water will be put in the reserve pit during completion work per Onshore Order #7.
5. The only fluids/waste materials which are authorized to go into the reserve pit are RCRA exempt exploration and production wastes. These include:
 - drilling muds & cuttings
 - rigwash
 - excess cement and certain completion & stimulation fluids defined by EPA as exempt

It does not include drilling rig waste, such as:

- spent hydraulic fluids
- used engine oil

- used oil filter
- empty cement, drilling mud, or other product sacks
- empty paint, pipe dope, chemical or other product containers
- excess chemicals or chemical rinsate

Any evidence of non-exempt wastes being put into the reserve pit may result in the BLM Authorized Officer requiring specific testing and closure requirements.

6. Reserve pits will be closed as soon as possible, but no later than 90 days from time of drilling/well completion, unless the BLM Authorized Officer gives an extension. Pits must be dry of fluids or they must be removed via vac-truck or other environmentally acceptable method prior to backfilling, re-contouring and replacement of topsoil. Mud and cuttings left in pit must be buried at least 3-feet below re-contoured grade. The operator will be responsible for re-contouring any subsidence areas that develop.
7. The fluids and mud must be dry in the reserve pit before re-contouring pit area. The operator will be responsible for re-contouring of any subsidence areas that develop from closing a pit before it is completely dry. The plastic pit liner (if any) will be cut off below grade and properly disposed of at a state authorized landfill before beginning to re-contour the site.
8. The operator will be responsible for prevention and control of noxious weeds and weeds of concern on all areas of surface disturbance associated with this project (well locations, roads, water management facilities, etc.) Use of pesticides shall comply with the applicable Federal and State laws.
9. Prior to the use of pesticides on public land, the holder shall obtain from the BLM authorized officer a pesticide use permit (PUP). The PUP must include a written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer to such use.

C. Producing Well

1. Landscape those areas not required for production to the surrounding topography as soon as possible.

The fluids and mud must be dry in the reserve pit before re-contouring pit area. The operator will be responsible for re-contouring and reseeded of any subsidence areas that develop.
2. Any spilled or leaked oil, produced water or treatment chemicals must be reported in accordance with NTL-3A and immediately cleaned up in accordance with BLM requirements. This includes clean-up and proper disposition of soils contaminated as a result of such spills/leaks.
3. Distribute stockpiled topsoil evenly over those areas not required for production (ie.,cut/fill slopes, road ditches, pipelines, etc.) and reseed with approved seed mix.
4. Upgrade and maintain access roads and drainage control (e.g., culverts, drainage dips, ditching, crowning, surfacing, etc.) as necessary and as directed by the BLM Authorized Officer to prevent soil erosion and accommodate safe, environmentally-sound access.

D. Reclamation/Dry Hole

1. BLM will not release the performance bond until all disturbed areas associated with the APD/POD

have been successfully revegetated (evaluation will be made after the second complete growing season) and has met all other reclamation goals of the surface owner and surface management agency.

2. A Notice of Intent to Abandon and a Subsequent Report of Abandonment must be submitted for abandonment approval.
3. For performance bond release approval, a Final Abandonment Notice (with a surface owner release letter on split-estate) must be submitted prior to a final abandonment evaluation by BLM.
4. Phased reclamation plans will be submitted to BLM for approval prior to individual POD facility abandonment via a Notice of Intent (NOI) Sundry Notice. Individual facilities, such as well locations, pipelines, discharge points, impoundments, etc. need to be addressed in these plans as they are no longer needed. Individual items that will need to be addressed in reclamation plans include:
 - Configuration of reshaped topography, drainage systems, and other surface manipulations
 - Waste disposal
 - Revegetation methods, including specific seed mix (pounds pure live seed/acre) and soil treatments (seedbed preparation, fertilization, mulching, etc.). On private surface, the landowner should be consulted for the specific seed mix.
 - Other practices that will be used to reclaim and stabilize all disturbed areas, such as water bars, erosion fabric, hydro-mulching, etc.
 - An estimate of the timetables for beginning and completing various reclamation operations relative to weather and local land uses.
 - Methods and measures that will be used to control noxious weeds, addressing both ingress and egress to the individual well or POD.
 - Decommissioning/removal of all surface facilities
 - Closure and reclamation of areas utilized or impacted by produced CBNG water, including discharge points, reservoirs, off-channel pits, land application areas, livestock/wildlife watering facilities, surface discharge stream channels, etc.
 - Refer to *BLM Impoundment Reclamation Guidance* for further information on reclaiming impoundments.
 - Refer to the *Wyoming Reclamation Policy* for further guidance on reclamation.
5. All disturbed lands associated with this project, including the pipelines, access roads, water management facilities, etc will be reclaimed and reseeded within 180 days of well plugging. The reclamation work must be in accordance with the surface use plan and any pertinent site-specific COAs.
6. Disturbed lands will be re-contoured back to conform with existing undisturbed topography. No depressions will be left that trap water or form ponds.
7. The fluids and mud must be dry in the reserve pit before re-contouring pit area. The operator will be responsible for re-contouring of any subsidence areas that develop from closing a pit before it is completely dry. The plastic pit liner (if any) will be cut off below grade and properly disposed of at a state authorized landfill before beginning to re-contour the site.
8. Before the location has been reshaped and prior to redistributing the topsoil, the operator will rip or scarify the drilling area and access road on the contour to 4" below the compacted layer. The rippers are to be no farther than 24 inches apart.

9. Distribute the topsoil evenly over all disturbed areas. Prepare the seedbed and seed with approved seed mix.
10. Soil fertility testing and the addition of soil amendments may be required to stabilize some disturbed lands.
11. Any mulch utilized for reclamation needs to be certified weed free.
12. Waterbars are to be constructed at least one (1) foot deep, on the contour with approximately two (2) feet of drop per 100 feet of waterbar to ensure drainage, and extended into established vegetation. All waterbars are to be constructed with the berm on the downhill side to prevent the soft material from silting in the trench. The initial waterbar should be constructed at the top of the backslope. Subsequent waterbars should follow the following general spacing guidelines:

Slope (percent)	Spacing Interval (feet)
< 2	200
2 - 4	100
4 - 5	75
> 5	50

BFO deferred 4 APDs and associated infrastructure pending resolution of the following issues, see below.

	Well Name or Location	Well #	Environmental Issue/Deficiency	Remedy
1	Moore Land Federal	30S-3	Class III cultural inventory was not completed for the NW of Section 30, T42N R76W.	Class III cultural inventory that meets the Secretary of the Interior's Standards must be completed, and a report following the Archeology and Historic Preservation, Secretary of the Interior's Standards and Guidelines (48CFR190) and the <i>Wyoming State Historic Preservation Office Format, Guidelines, and Standards for Class II and III Reports</i> must be received and accepted by the Buffalo Field Office, by July 31, 2011.
2	Moore Land Federal	30S-5	Class III cultural inventory was not completed for the NW of Section 30, T42N R76W.	Class III cultural inventory that meets the Secretary of the Interior's Standards must be completed, and a report following the Archeology and Historic Preservation, Secretary of the Interior's Standards and Guidelines (48CFR190) and the <i>Wyoming State Historic Preservation Office Format, Guidelines, and Standards for Class II and III Reports</i> must be received and accepted by the Buffalo Field Office, by July 31, 2011.
3	Partial Utility Corridor		Class III cultural inventory was not completed for approximately 750 feet of the proposed corridor, N/SW/SW/SW of Sec 20, T42N R76W, consisting of proposed unimproved road, proposed water, gas, electric located directly west of the 20S-13 existing fee CBNG well. NOTE: Deferral of this access/corridor will not affect any access for drilling of any well locations. Wells will be accessible for drilling from either end of this access/corridor.	Class III cultural inventory that meets the Secretary of the Interior's Standards must be completed, and a report following the Archeology and Historic Preservation, Secretary of the Interior's Standards and Guidelines (48CFR190) and the <i>Wyoming State Historic Preservation Office Format, Guidelines, and Standards for Class II and III Reports</i> must be received and accepted by the Buffalo Field Office, by July 31, 2011.
4	Grayling	24S-7	BLM received an August 2010	<ul style="list-style-type: none"> • Devon shall submit to BLM by

	Well Name or Location	Well #	Environmental Issue/Deficiency	Remedy
	WPTU		wildlife report for an adjacent POD, indicating that sage-grouse males were observed strutting at 3 previously unknown locations in the west half of Section 19 T42N,R75W. One of these locations (SWNW of Section 19) is within 0.25 miles of the proposed road and utilities corridor servicing this well. WGFD requires 3 years of data to determine whether a location qualifies as a lek. Therefore, BLM defers approval of this well pending 2 more seasons (2011 and 2012) of survey information.	<p>31 May, 2011 and 2012, a report of sage-grouse lek surveys performed in those years within 0.25 mile of proposed infrastructure, using the WGFD lek survey protocol.</p> <ul style="list-style-type: none"> • Devon shall submit geospatial information to BLM by 31 May 2011 and 2012, showing the perimeter of any sage-grouse strutting grounds identified in 2011 and 2012 within 0.25 mile of proposed well infrastructure, using WGFD lek survey protocol. • BLM anticipates making final decision within 30 days of complete receipt of survey and geospatial information.
5	Graying WPTU	24S-9	This well is located approximately 0.3 miles, and the proposed access and utilities corridor are approximately 0.15 miles, from the new potential lek (SWNW of Section 19) discussed above. WGFD requires 3 years of data to determine whether a location qualifies as a lek. Therefore, BLM is deferring approval of this well pending 2 more seasons (2011 and 2012) of survey information.	<ul style="list-style-type: none"> • Same as the 24S-7 well.